

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
YORKSHIRE TOWERS COMPANY LP and
YORKSHIRE TOWERS TENANTS
ASSOCIATION,

Plaintiffs,

Civil Action No. 10 CIV 8973 (T.P.G)

-against-

THE FEDERAL TRANSIT ADMINISTRATION,
THE METROPOLITAN TRANSPORTATION
AUTHORITY and THE METROPOLITAN
TRANSPORTATION AUTHORITY CAPITAL
CONSTRUCTION COMPANY,

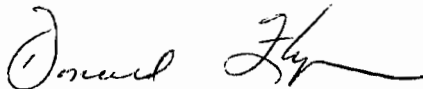
AFFIDAVIT OF SERVICE

Defendants.
-----X

I, Donald Flynn, being duly sworn, deposes and says:

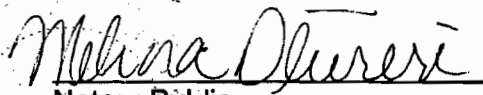
Deponent is not a party to the action, is over 18 years of age and is employed by Anderson Kill & Olick, P.C., 1251 Avenue of the Americas, New York, NY 10020.

On the 1st day of December 2010, deponent served a true copy of a Summons in a Civil Action, Rule 7.1 Statement, Individual Practices of Judge Thomas P. Griesa, Civil Cover Sheet, Complaint and Exhibits 1 and 2 in accordance with 5 U.S.C. § 522(a)(4)(c) upon Federal Transit Administration, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590 by Certified Mail, Return Receipt Requested with the U.S. Postal Service within the State of New York.



Donald Flynn
(Lic. No. 0989929)

Sworn to before me on this
9th day of December, 2010



Notary Public
Melina Oliveri
Notary Public, State of New York
NO. 01018212487
Qualified in Bronx County
Certificate Filed in New York County
Commission Expires October 13, 2013

7006 3450 0003 0920 2384

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com[®]

OFFICIAL USE

Postage \$
 Certified Fee
 Return Receipt Fee
 (Endorsement Required)
 Restricted Delivery Fee
 (Endorsement Required)
 Total Postage & Fees \$



Sent to
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4[®]
 Federal Transportation Administration
 1200 New Jersey Avenue, S.E.
 Washington, DC 20590

PS Form 3800, Apr. 2009

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the SOUTHERN DISTRICT OF NEW YORK

JUDGE GRIESA

YORKSHIRE TOWERS COMPANY LP and
YORKSHIRE TOWERS TENANTS ASSOCIATION,

Plaintiff

v.

THE FEDERAL TRANSIT ADMINISTRATION, THE
METROPOLITAN TRANSPORTATION AUTHORITY and
THE METROPOLITAN TRANSPORTATION AUTHORITY
CAPITAL CONSTRUCTION COMPANY

Defendant

Civil Action No.

10 CIV 8973

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

The Federal Transit Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

ANDERSON KILL & OLICK, P.C.
1251 Avenue of the Americas
New York, NY 10020

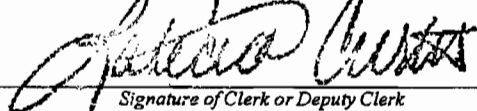
CECCARELLI WEPRIN PLLC
Two Wall Street
New York, NY 10005

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: _____

NOV 30 2010

RUBY J. KRAJICK
CLERK OF COURT


Signature of Clerk or Deputy Clerk